

REMARKS

Reconsideration is requested of the Examiner's rejection of Claims 9-13 under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The Examiner believed that "[t]he claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Applicant respectfully refers the Examiner to the specification identified below in support Claims 9-13.

- Paragraph [0033]: "By angling the side walls towards each other, the increased thickness at the shut-off end of the device [as discussed in paragraphs [0031]-[0032] of the embodiments shown in Figs. 14 and 15] may be lessen in view of the additional counter effect caused by the flexing and straining of the device when in use. Thereby, advantageously resulting in the use of even less material and provides a more cost effective device." (emphasis added).

This paragraph describes the embodiment shown in Fig. 16. As intended by Applicant at the filing of the application (underlined above), the embodiment of Fig. 16 may have an increased thickness such as those disclosed in Figs. 14 and 15, albeit not necessarily as thick as those disclosed in Figs. 14 and 15. Further, as the embodiment shown in Fig. 16 follows the description of Figs. 14 and 15 and being an "alternate" improved embodiment of Figs. 14 and 15, Applicant intended at the filing of the application that the features of the embodiments of Figs. 14 and 15 also apply to the embodiment of Fig. 16. Therefore, the specification provides adequate written description to support Claims 9-13.

Reconsideration is requested of the Examiner's rejection of Claims 14-15 under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement and as failing to comply with the enablement requirement. The Examiner believed that there was "no written disclosure of means for maintaining said roller at different positions" and "no enabling disclosure of means for maintaining said roller at different positions of the channel ... especially how the narrowing walls of Figure 6 accomplish such a function." Applicant respectfully refers the Examiner to the specification, which clearly discloses and enables one skill in the art how to maintain a roller at different positions of the channel, identified below:

- Paragraph [0011]: "[P]rior V-grooved or ramped roller clamps suffer from set-point drift attributable to shifting of the roller position. The prior clamp structures are not believed to have taken into adequate consideration the direct effect of stress or strain as a critical contributing factor in degrading an accurate flow rate performance of the roller clamp." and "The present invention describes an effective method of taking cognizance of stress and strain in the device and controlling these factors for optimum performance."

(emphasis added).

- Paragraph [0031]: The purpose of the present invention is to "minimize the distorting effect caused by the flexing and straining of the device when in use. Thereby, advantageously eliminated the need for a separate bracket, clip or bridge component" of the prior art.

- Paragraph [0088]: The angled side walls 514 and 516 has a spring effect, as the memory of the plastic walls tend to return to their original positions. The slight angling of the side walls 514 and 516 towards each other effectively counter the effect caused by the flexing and straining of the device at all longitudinal positions of a roller 522 along

channel 520 when in use and eliminate the need of a bracket, clip or bridge or thickened portions along the side walls.” (emphasis added).

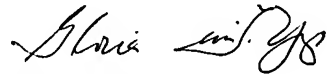
The present invention recognizes the stress and strain that imparts on the roller of a prior art clamp that causes the roller to shift its position, resulting in inaccurate flow rate performance.

Paragraph [0011]. Other prior art devices sought to overcome this problem with a separate bracket, clip or bridge. Paragraph [0031]. The present application discloses different embodiments to overcome this same problem, i.e. utilizing thickened walls and angled side walls. As detailed in Paragraph [0088], this is accomplished by the “spring effect” of the angled side walls to maintain the position of the roller, which effectively counters the flexing and straining of the clamp that causes the roller to shift.

Applicant acknowledges the Examiner’s indication that Claims 7-8 are allowed.

By virtue of the amendment of the claims as well as the applicant’s remarks thereto, all outstanding grounds of rejection and objection of the Office Action have been addressed and dealt with and, based thereon, it is believed that the application is now in condition for allowance and such action is respectfully solicited.

Respectfully submitted,



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